

MINUTES

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA, EASTERN DIVISION

W. HAROLD ALBRITTON, SENIOR U. S. DISTRICT JUDGE, PRESIDING, AT MONTGOMERY, AL

DATE COMMENCED: March 23, 2006

AT: 10:00 a.m.

DATE COMPLETED: March 23, 2006

AT: 10:31 a.m.

UNITED STATES OF AMERICA

vs.

DANNY JOE McCART

CR. No. 3:05cr147-WHA

APPEARANCES:

GOVERNMENT

Kent Brunson

DEFENDANT

Christine Freeman

COURT OFFICIALS PRESENT

Risa Entrekin, Court Reporter
Elna Behrman, Courtroom Deputy
Chris Puckett, Law Clerk

Terrence Marshall, USPO
Dwayne Spurlock, USPO

COURTROOM PROCEEDINGS

(X) SENTENCING HEARING

Court convenes.

The parties have reviewed the presentence report and have no objections.

The court adopts the factual statements contained in the presentence report.

The court hears arguments on the Defendant's Motion for Downward Departure for Diminished Mental Capacity. After hearing arguments, the court states that the evidence does not support the Defendant's contention of diminished mental capacity and orally DENIES the motion.

Ms. Freeman requests sentencing at the lower end of the guidelines.

Sentence is stated.

No objections.

Sentence is ordered imposed as stated.

Defendant will be released pending voluntary surrender under the same terms and conditions imposed by the magistrate judge on July 14, 2005.

Defendant is advised of his right to appeal.

Defendant is directed to meet with the probation officer before leaving.